

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

- against -

COUNTY OF SUFFOLK,

Defendant.
----- X

Civil Action No.
CV 2:13-7183
(Seybert, J.)
(Tomlinson, M.J.)

STIPULATION OF TERMINATION OF CONSENT JUDGMENT

WHEREAS Plaintiff, United States of America, by the authority of the Attorney General and on behalf of the United States Environmental Protection Agency ("EPA"), entered into a Consent Judgment with the Defendant, County of Suffolk ("Suffolk County"), which was entered by this Court and thereby made effective on February 24, 2014 ("Effective Date").

WHEREAS the Consent Judgment resolves claims of the United States against Suffolk County for alleged violations of the requirements of (a) the Resource Conservation and Recovery Act ("RCRA") regulations governing USTs, set forth at 40 CFR Part 280; and (b) the federally enforceable New York State hazardous waste regulations set forth at 6 N.Y.C.R.R. § 372.2(a)(2) governing disposal of spent fluorescent lamps.

WHEREAS the Consent Judgment required Suffolk County to, among other things: (a) pay a civil penalty of \$500,000; (b) fund a Supplemental Environmental Project ("SEP") in the amount of \$1,500,000 to acquire an interest in land, and to manage such land and any associated ecological resources, into perpetuity, to protect and/or enhance groundwater; (c) maintain compliance with RCRA requirements for all of its underground storage tanks and with NYS regulations in its handling of spent fluorescent lamps; and (d) submit regular reports to EPA for four years to demonstrate Suffolk County's compliance.

WHEREAS, Suffolk County represents that it has complied with the Consent Judgment and is in compliance with RCRA's regulations governing USTS and the New York State hazardous waste regulations set forth at 6 N.Y.C.R.R. § 372.2(a)(2) governing the handling of spent fluorescent lamps.

WHEREAS, EPA has determined, based on Suffolk County's submissions, that the Suffolk County has satisfactorily completed performance of its compliance and reporting obligations, and has fulfilled all other obligations of this Consent Judgment to date, including its payment and SEP obligations under the Consent Judgment;

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned parties
that the Consent Judgment between the United States and Suffolk County is hereby terminated.

SO ORDERED this ____ day of _____, 2020.

THE HONORABLE JOANNA SEYBERT
United States District Judge
Eastern District of New York

Dated: Brooklyn, New York
February 24, 2020

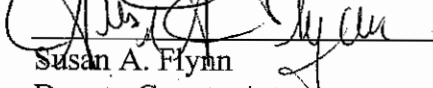
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By: /s/

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Dated: Hauppauge, New York
Feb. 20, 2020

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